

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 22-CR-10038-IT
)	
ARIEL LEGASSA)	
)	
Defendant.)	

AFFIDAVIT OF SPECIAL AGENT BRENDAN M. DONLAN

I, Brendan M. Donlan, do hereby declare and state:

1. I am a Special Agent of the Federal Bureau of Investigation ("FBI") and have been so employed since 2009. I am currently assigned to the FBI's Boston Field Office and to the Corporate and Securities Fraud group within that office. My duties include the investigation of violations of federal law, including investment fraud, money laundering, mail fraud, wire fraud, and other financial crimes. I received training at the FBI Academy in Quantico, Virginia in a variety of investigative and legal matters.

2. I submit this affidavit in support of the United States' Motion for a Preliminary Order of Forfeiture.

3. Since approximately January 2022, I have investigated the defendant Ariel Legassa (LEGASSA) for crimes including mail fraud, in violation of 18 U.S.C. § 1341 and money laundering, in violation of 18 U.S.C. § 1957.

4. The information contained in this affidavit is based on my knowledge of this investigation and conversations with other agents, the review records, documents, and other evidence obtained during the investigation, my personal knowledge and observations, and my training and experience.

5. Between approximately April 1, 2021 and November 23, 2021, LEGASSA deposited a total of \$575,500 in funds received from NESN by mail into an account at Santander Bank in the name of Alley CT that he controlled (the “Santander Account”). Between February 2021 and January 2022, the only deposits into the Santander Account were the NESN checks issued to Alley CT, a \$100 account opening deposit, and a \$4,000 deposit on May 20, 2021.

6. Between April 16, 2021 and December 7, 2021, LEGASSA sent five wire transfers totaling approximately \$156,000 from the Santander Account to an account in his and his wife’s name at the American Broadcast Employees Federal Credit Union account number ending in x750 (the “750 Account”). LEGASSA was listed as the beneficiary of these five wire transfers and all the wires were sent to the 750 Account (Checking). The 750 Account as well as another account at American Broadcast Employees Federal Credit Union held in the name of Nilda Legassa, account number ending in x4170 (the “4170 Account”) had a “Prime Share,” or savings account, and a “Basic Share Draft,” or checking account.

7. As detailed below, LEGASSA then transferred some of the funds to the 750 Account (Savings) and also spent some of the funds on loan payments.

a. On or about April 16, 2021, LEGASSA wired \$26,000 from the Santander Account to the 750 Account (Checking). That same day, LEGASSA made a \$12,856.53 payment on a car loan associated with the 4170 Account. Additionally, LEGASSA made a \$9,232.21 payment on an additional car loan associated with the 4170 Account.

b. On or about May 11, 2021, LEGASSA wired \$60,000 from the Santander Account to the 750 Account (Checking).¹ That same day, LEGASSA made the following payments: (1) a \$12,911.16 payment and \$9,134.92 payment to satisfy two outstanding loans associated with the 4170 Account, (2) a \$12,543.05 payment to satisfy an outstanding loan associated with the 750 Account, (3) a \$20,000 payment towards the balance on a credit card held by Nilda Legassa at American Broadcast Employees Federal Credit Union, and (4) a \$4,300 transfer to the 4170 Account (Checking).

c. On or about July 12, 2021, LEGASSA wired \$45,000 from the Santander Account to the 750 Account (Checking). That same day, he transferred \$18,000 from 750 Account (Checking) to the 750 Account (Savings). On or about July 16, 2021, LEGASSA also transferred \$10,000 from the 750 Account (Checking) to the 750 Account (Savings). On or about July 30, 2021, LEGASSA transferred \$6,000 from the 750 Account (Checking) to the 750 Account (Savings).²

d. On or about November 4, 2021, LEGASSA wired \$8,500 from the Santander Account to the 750 Account (Checking). That same day, he transferred \$12,000 from the 750 Account (Checking) to the 750 Account (Savings).

e. On or about December 7, 2021, LEGASSA wired \$17,000 from the

¹ LEGASSA was charged and convicted of money laundering in connection with this transaction (Count Nine).

² LEGASSA appears to have routinely received direct deposit salary payments from NESN into the 750 Account (Checking). On or about July 16, 2021, LEGASSA received a direct deposit salary payment of \$6,934.93 from NESN into the 750 Account (Checking). This brought the account balance to \$34,169.09. On or about July 30, 2021, LEGASSA received a direct deposit salary payment of \$6,967.50 into the 750 Account (Checking). This brought the account balance to \$28,575.30. Each one of these salary direct deposits took place prior to the transfer from the 750 Account (Checking) to the 750 Account (Savings) described above.

Santander Account to the 750 Account (Checking). On or about December 9, 2021, LEGASSA made a \$14,000 payment towards the balance on a credit card held by Nilda Legassa at the American Broadcast Employees Federal Credit Union.

8. As reflected above, between approximately July 12, 2021 and December 7, 2021, shortly after receiving funds from the Santander Account into the 750 Account (Checking), LEGASSA transferred a total of \$46,000 to the 750 Account (Savings).

9. On or about July 1, 2021, the 750 Account (Savings) had a balance of \$7,472.45. On or about July 31, 2021, the 750 Account (Savings) account had a balance of \$47,472.45. From approximately July 31, 2021 through January 10, 2022, at no point, did the 750 Account (Savings) account drop below \$47,000.

10. On or about January 1, 2022, the 750 Account (Savings) account had a balance of \$108,166.82.

11. On January 6, 2022, NESN fired LEGASSA. Prior to terminating LEGASSA's employment, NESN confronted LEGASSA about the suspected fraudulent invoices in the name of Alley CT.

12. On or about January 10, 2022, LEGASSA transferred \$79,625.96 from the 750 Account (Savings) to the 4170 Account (Savings). Prior to the transfer, on or about January 5, 2022, the 4170 Account (Savings) held \$1,757.91.

13. On or about January 20, 2022, the American Broadcast Employees Federal Credit Union froze the then-balance of the 4170 Account. At that time, bank records indicate that the 4170 Account (Savings) had a balance of approximately \$64,469.52 and the 4170 Account (Checking) had a balance of approximately \$12,767.25.

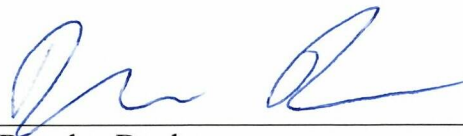
14. Based on the investigation, I understand that the American Broadcast Employees Federal Credit Union allowed Nilda Legassa to make subsequent deposits in the 4170 Account and to only withdraw funds up to the amount deposited post the January 20, 2022 freeze.

15. On March 29, 2022, pursuant to a seizure warrant issued by Magistrate Judge Hennessey, the United States seized \$46,000 in funds held in or on behalf of American Broadcast Employees Federal Credit Union Prime share accounts ending in x4170. *See* 22-MJ-4113-DHH.

16. These funds (\$46,000) represent a portion of the amount of money that LEGASSA transferred from the Santander Account to the 750 Account and then, after learning of his termination from NESN, represent a portion of the total funds that he transferred to 4170 Account (Savings) that remained in that account.

Pursuant to 28 U.S.C. § 1748, I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed February 14, 2024.



Brendan Donlan
Special Agent
Federal Bureau of Investigation